

REMARKS

Claims 1-13 are in the application. Reconsideration and reexamination are respectfully requested.

1. New Attorney

The present amendment is filed under Rule 34(a) by the below-signed registered patent attorneys, The previous attorneys in this application have withdrawn from representation, which withdrawal is of record.

All further communication is requested to be made with the attorney, and at the address, indicated below (in accordance with the MPEP). Applicant and/or Applicant's assignee will submit a formal power of attorney appointing the undersigned as his/its legal representative in this application at an early time.

2 Objection to the Specification

Use of the registered trademark 'VELCRO' within the specification was objected to. This term has been replaced with the generic term for the material involved 'hook and loop material' upon all points of occurrence at specification pages 5 and 6, and also in the amended claims below.

3. Objection to Claim 13

Claim 13 was objected to for repetitive language.
Claim 13 is amended.

4. Rejection of the Claims Under 35 U.S.C. §§102 and 103

Claims 1, 5, 6, 8-11 and 13 were rejected under 35 U.S.C. §102(b) as being anticipated by the reference art patent of Lee.

Claim 7 was rejected under 35 U.S.C. §103(a) as being anticipated by the reference art patent of Lee.

Claims 1, 2, 5, 7 and 8 were rejected under 35 U.S.C. §103(a) over the reference art patent of Sauer in view of the reference art patents to Richardson, et al. and to Gray.

Claims 3, 4 and 12 were rejected under 35 U.S.C. §103(a) over the reference art patents of Sauer, Richardson, et al. and Gray further in view of the reference art patent of Meritt.

3.1 Rejections Involving the Reference of Lee

The primary reference of Lee does describe, as noted by the Examiner at page 3, lines 4-6, the compartments 12 and 10 of his COMPARTMENTALIZED CARRIER AND PRESENTATION BAG FOR PORTABLE TV AND VIDEO MEDIA PLAYER may be separated. However, and as described at column 3, line 41 et seq, of the specification of the Lee reference: 'All of the aforementioned cables, cords and connectors may be readily removed and stored on one of the side pockets 22 or 24 [of the bag/compartment 10]. Moreover, the LCD TV 14 may be readily removed and stored [in one of said side pockets 22 or 24 of the bag/compartment 10] as well'.

Thus the LCD TV 14 is not exclusively, nor perhaps even primarily, protected by its own holder/compartment 12 during storage, but is instead within a pocket 22 or 24 of the bag/compartment 10.

More importantly, such a complete detachment of the LCD TV 14 (and its surround holder/compartment 12) for **storage** neither teaches nor suggests that this LCD TV 14 in its holder/compartment 14 may be so completely detached for, and during, **use**.

Applicant has amended his independent claim 1 to specify that his 'first and second compartments are connectable to form a single storage protecting the audio-video components one component in each compartment'. This is not, of course, what is

taught by Lee, where the LCD TV 14 component within its holder compartment 14 is itself, when protectively stowed, within a packet/compartment 22, 24 of the bag 10.

Still further, Applicant also amends his claim 1 to state that 'the two components are distinct and completely separable for operation of the audio-video components with one component still protected in each compartment, the two components connected by wires, and the screen of the video screen component exposed for viewing'. Such a distinct and complete separation of protected and compartmented components during use is neither taught nor suggested by Lee of any other fo the art of reference in any combination.

Moreover, Applicant's claims structure is not a mere nicety, nor design choice. Clearly in the intended use environment of an automobile the two audio-visual components are often desired to be widely and completely separated while both are still physically protected, as Applicant claims.

Applicant amends his independent claim 5 likewise, and urges its patentability for the same reasons just stated.

3.1 Rejections Involving the References of Sauer, Richardson, et al., and Gray

The Examiner also rejected claims 1, 2, 5, 7 and 8 nder 35 U.S.C. §103(a) over the reference art patents of Sauer, Richardson, et al. and to Gray ['SRG'] (and still further rejected claims 3, 4 and 12 further in view of the reference art patent of Meritt).

The Examiner finds that Sauer shows a first **compartment** 30 and a second **compartment** 20. In fact, Sauer shows and describes a first **cover** 30 and a lower **casing** 20. Neither a 'cover', nor a 'casing', is equivalent to a 'compartment'. In fact, the cover 30 and the lower casing 20 of Sauer make together but one compartment, in which is contained a personal computer

(prospectively having both video playback and display capabilities).

The Examiner then finds that, since Richardson shows to located each of a computer system 12 and a separable screen 14 to a separate location, it would be obvious to so move and use **each in its own enclosure or compartment** (as might be joined by a zipper, per Gray). Applicant finds that the combination of Sauer, and of Richardson, et al., suggest at best that one part of Sauer's laptop, likely its display portion 92, might be separately removed from the single compartment formed by lower casing 20 and its cover 30 and situated elsewhere.

Applicant claims such separation of components for use while each is within its own compartment as is neither taught nor suggested by SRG nor any of the art of reference taken in any combination.

4. Claim Numbering

Claims 10 and 11 as originally presented were not in proper sequence. The numbering and dependencies of the present claims, and the suggested claim numbering and dependencies if (presently numbered) claims 1-13 are allowed, is suggested to be as follows:

| <u>Present</u> <u>Numbering</u> | <u>Prospective</u> <u>Numbering</u> |
|------------------------------------|--|
| 1 | 1 |
| 2/1 | 2/1 |
| 3/2 | 3/2 |
| 4/3 | 4/4 |
| 5 | 7 |
| 6/5 | 8/7 |
| 7/5 | 9/7 |
| 8/5 | 10/7 |
| 9/5 | 11/7 |

| | |
|-------|------|
| 10/1 | 4/1 |
| 11/10 | 5/4 |
| 12/5 | 12/7 |
| 13/5 | 13/7 |

5. Summary

The present amendment and remarks have overcome and discussed each of the bases for the rejections presented in the Office Action. No new subject matter has been introduced by the present amendment.

In consideration of the preceding amendment and accompanying remarks, the present amendment is deemed worthy of entrance, and the present application is deemed in condition for allowance. The timely action of the Examiner to that end is earnestly solicited.

Applicant's (new) undersigned attorney is at the Examiner's disposal should the Examiner wish to discuss any matter which might expedite prosecution of this case.

Sincerely yours,

William C. Fuess

William C. Fuess
Registration Number 30,054

William C. Fuess
FUESS & DAVIDENAS
Attorneys at Law
10951 Sorrento Valley Road
Suite II-G
San Diego, California 92121-1613
Telephone: (858) 453-3574
Facsimile: (858) 453-3574
E-mail: FandD@ricochet.com

[] Attorney of Record
[X] Filed Under 37 CFR §1.34(a)

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this AMENDMENT and the documents referred to as attached therein are being deposited with the United States Postal Service in an envelope addressed to the: Mails Stop No Fee Amendments - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date written below.

July 20, 2005
Date

William C. Fuess
Typed Name of Person
Mailing Correspondence

William C. Fuess
Signature of Person Mailing
Correspondence